

## Panhandle Eastern Pipe Line

An International Energy Company

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Houston TX 77210-4967

December 19, 2001

By Certified Mail

Kansas Department of Health & Environment  
Bureau of District Operation  
Waste Management Programs  
Attn. Victoria O'Brien  
1500 West 7<sup>th</sup> Street  
Chanute, Kansas 66720

K.D.H.E.

DEC 26 2001

SOUTHEAST DISTRICT OFFICE  
CHANUTE, KANSAS

RE: RESPONSE TO NOTICE OF NON-COMPLIANCE  
PANHANDLE EASTERN PIPE LINE COMPANY – OLPE STATION

Dear Ms. O'Brien,

Panhandle Eastern Pipe Line Company (PEPL) is providing the following written responses to the citations issued on November 26, 2001 at our Olpe Station, EPA Identification Number KSD984972727. The Olpe station is registered as an EPA generator even though it is actually a Kansas Generator. Based on the audit discussions, PEPL has decided to change the facilities generator status to a Kansas Generator. A revised Notification of Hazardous Waste Activity form was submitted to the Kansas Department of Health & Environment in Topeka on December 18, 2001. A copy of this form can be found in Attachment A.

*Citation #1: KAR 28-31-4(e)(4) Failure to have placards to offer transporter.*

**Response:** All hazardous waste is scheduled from the corporate office. The corporate office notifies the transporter of the placarding requirements and offers placards to the transporter prior to pick-up. To simplify this issue, PEPL has ordered some placards to be kept at the facility.

*Citation #2: KAR 28-31-4(d) Failure to use correct generator name and/or address on nine manifests.*

**Response:** According to a phone call on December 14, 2001, the concern cited was in regards to using the corporate address on the manifests, not the generator name listed on the manifest. According to KAR 28-31-4(d) and 40 CFR Part 262 Appendix, the Generator's address "should be the location that will manage the returned Manifest forms." All hazardous waste manifests are returned to the corporate office. The corporate office tracks all manifest compliance dates and issues any correspondence to agencies if a manifest is not returned in a timely manner. PEPL believes we are complying with KAR 28-31-4 and 40 CFR Part 262 Appendix.



R00403343

RCRA RECORDS CENTER

*Citation #3: KAR 28-31-14 Failure to include manifest number on four LDR forms.*

**Response:** The Corporate office in conjunction with the disposer has corrected the missing information. The Corporate staff receiving the manifest and the LDR information has received a special training on December 17, 2001. Accurate manifest and LDR completion instructions will be provided to field personnel during the annual hazardous waste training program.

*Citation #4: KAR 28-31-4(g)(4) Failure to follow written inspection schedule for emergency equipment.*

**Response:** One monthly fire extinguisher inspection was not conducted according to the written inspection schedule. Field personnel have been reminded of the importance of completing all inspections on time.

*Citation #5: KAR 28-31-4(g)(4) Failure to familiarize local hospitals in accordance with 40 CFR 265.37(a)(4).*

**Response:** PEPL had provided information to the local hospital. A copy of the hospitals signed receipt form is provided in Attachment B. I am not sure why this was not provided by PEPL during the inspection.

*Citation #6: KAR 28-31-4(g)(4) Failure to describe emergency actions for fires involving hazardous waste.*

**Response:** In the Contingency and Response section of the plan, PEPL has a section entitled "Emergency/Spill Response Procedures". This section describes the actions to be taken by the First Responder, the Emergency Response Coordinator, the Local Authorities, Area/Division Office and Environmental Compliance. Under the Emergency Response Coordinator is a bullet stating, "For fires or explosions refer to the emergency plan section of the Operations and Maintenance Plan." The Operations and Maintenance Plan is available at the station, and should have been provided during the audit.

*Citation #7: KAR 28-31-4(g)(4) Contingency plan does not describe arrangements in accordance with 40CFR265.52(c).*

**Response:** In the Contingency and Response section of the plan, PEPL has a section entitled "Emergency/Spill Response Procedures". This section lists the procedures to be taken by the Local Authorities. Acknowledgement of receipt of the plan by the local authorities is provided in Attachment C.

*Citation #8: KAR 28-31-4(g)(4) Contingency plan does not include brief outline of the capabilities of emergency equipment.*

**Response:** PEPL did not list the capabilities of the fire extinguishers on the plan. The Plan will be updated to include the grade of fire extinguishers kept at the site.

*Citation #9: KAR 28-31-4(g)(4) Contingency plan does not include evacuation routes.*

**Response:** The plan has a primary evacuation route from the Primary Assembly Area. PEPL is developing a secondary evacuation route for the site.

*Citation #10: KAR 28-31-4(c)(1) Inaccurate Notification of Hazardous Waste Activity.*

**Response:** The concern discussed during the closing meeting regarded the name of the company. The legal, operating name is listed correctly on the existing notification.

*Citation #11: KAR 28-31-4(g)(4) Failure to maintain written job descriptions.*

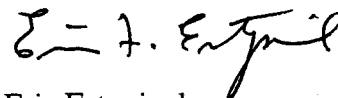
**Response:**

*PEPL will maintain and enhance the job descriptions to ensure compliance with 40 CFR Part 265.1(d).*

Environmental matters are serious issues at PEPL, and we make environmental awareness every employee's responsibility. We appreciate the feedback and the professionalism exhibited during this inspection.

If any additional information is needed, please call Victoria Wagner at (713) 989-7459 or me at (713) 989-7458.

Sincerely,



Eric Estopinal  
Manager, Environmental Services

Enclosure

EFE/vlw

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## ATTACHMENT A

## Appendix B

**KDHE Form 8700-12 (4-99) Previous editions are obsolete.**

**VIII. TYPE OF REGULATED WASTE ACTIVITY** Mark 'X' in the appropriate boxes. (See Instructions.)

**A. Hazardous Waste Activity**

1. Generator (see instructions)  
☐ 1000 kg/mo (2200 lbs) or more  
☒ 25 or more but less than 1000 kg/mo (55-2200 lbs)  
☐ Less than 25 kg/mo (55 lbs)
2. Transporter (Indicate Mode)  
☐ For own waste only  
☐ For commercial purposes
- Mode of Transportation  
☐ Air  
☐ Rail  
☐ Highway  
☐ Water  
☐ Other - specify
3. Treater, Storer, Disposer (at installation)  
 Note: A permit is required for this activity. (See instructions)
4. Hazardous Waste-as-Fuel  
☐ a. Generator Marketing to Burner  
☐ b. Other Marketers  
☐ c. Boiler and/or Industrial Furnance (Burner)  
     ☐ 1. Smelter Deferral  
     ☐ 2. Small Quantity Exemption
- Indicate Type of Combustion Device  
☐ 1. Utility Boiler  
☐ 2. Industrial Boiler  
☐ 3. Industrial Furnace
- ☐ 5. Underground Injection Control

**B. Used Oil Recycling Activities**

1. Used Oil Fuel Marketer  
☐ a. Marketer Who Directs Shipment of Used Oil to Off-Specification Burner  
☐ b. Marketer Who First Claims the Used Oil Meets the Specifications
2. Used Oil Burner - Indicate Type(s) of Combustion Device(s)  
☐ a. Utility Boiler  
☐ b. Industrial Boiler  
☐ c. Industrial Furnace
3. Used Oil Transporter - Indicate Type(s) of Activity(ies)  
☐ a. Transporter  
☐ b. Transfer Facility
4. Used Oil Processor/Re-Refiner-Indicate Type(s) of Activity(ies)  
☐ a. Process  
☐ b. Re-refine

**IX. DESCRIPTION OF REGULATED WASTE** (Use additional sheets if necessary)

**A. Characteristics of Nonlisted Hazardous Wastes.** Mark 'X' in the boxes corresponding to the characteristics of nonlisted hazardous waste at this installation.

1. Ignitable (D001)    2. Corrosive (D002)    3. Reactive (D003)

4. Toxicity Characteristic  
 (List specific EPA hazardous waste number(s) for the Toxicity Characteristic contaminants)

X			D 0 0 8	D 0 0 6	D 0 1 8				
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**B. Listed Hazardous Wastes (F, K, P, U listed wastes).**

1 F 0 0 3	2	3	4	5	6
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24

**X. CERTIFICATION**

I Certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature <i>Eric F. Estopinal</i>	Name and Official Title (type or print) Estopinal, Eric F.                      Manager, Environmental Services	Date Signed 12/17/2001
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**XI. COMMENTS**

## ATTACHMENT B

**ACKNOWLEDGMENT OF RECEIPT**

I acknowledge receipt of the Panhandle Eastern Pipe Line Company, Olpe Compressor Station's SPCC Plan, Preparedness, Prevention and Contingency Plan, Emergency Procedures. I understand that my organization may be contacted in case of an emergency.

ORGANIZATION: Newman Hospital

NAME: Harold Blits  
(PRINT)

NAME: Harold Blits  
(SIGNATURE)

TITLE: Safety Coordinator

DATE: Feb 2, 1999

This new SPCC Plan replaces Panhandle Eastern Pipe Line Company's old SPCC Plan dated 7-17-92. Discard or otherwise destroy the old plan.



## ATTACHMENT C

**ACKNOWLEDGMENT OF RECEIPT**

I acknowledge receipt of the Panhandle Eastern Pipe Line Company, Olpe Compressor Station's SPCC Plan, Preparedness, Prevention and Contingency Plan, Emergency Procedures. I understand that my organization may be contacted in case of an emergency.

ORGANIZATION: Emporia Fire Dept

NAME: Kelly Riggs  
(PRINT)

NAME: Kelly Riggs  
(SIGNATURE)

TITLE: Secretary

DATE: 2-1-99

This new SPCC Plan replaces Panhandle Eastern Pipe Line Company's old SPCC Plan dated 7-17-97. Discard or otherwise destroy the old plan.

**ACKNOWLEDGMENT OF RECEIPT**

I acknowledge receipt of the Panhandle Eastern Pipe Line Company, Olpe Compressor Station's SPCC Plan, Preparedness, Prevention and Contingency Plan, Emergency Procedures. I understand that my organization may be contacted in case of an emergency.

ORGANIZATION: Lyon County Sheriff

NAME: Randy Thomas  
(PRINT)

NAME: Randy Thomas  
(SIGNATURE)

TITLE: Undersheriff

DATE: Feb 1, 1999

This new SPCC Plan replaces Panhandle Eastern Pipe Line Company's old SPCC Plan dated 7-17-97. Discard or otherwise destroy the old plan.

**ACKNOWLEDGMENT OF RECEIPT**

I acknowledge receipt of the Panhandle Eastern Pipe Line Company, Olpe Compressor Station's SPCC Plan, Preparedness, Prevention and Contingency Plan, Emergency Procedures. I understand that my organization may be contacted in case of an emergency.

ORGANIZATION: Olpe & District #1 Fire Dept.

NAME: Daryl Klumpe  
(PRINT)

NAME: Daryl Klumpe  
(SIGNATURE)

TITLE: Fire Chief

DATE: 2-2-99

This new SPCC Plan replaces Panhandle Eastern Pipe Line Company's old SPCC Plan dated 7-17-97. Discard or otherwise destroy the old plan.